

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Promoting Expanding Opportunities for)	ET Docket No. 10-236
Radio Experimentation and Market)	
Trials under Part 5 of the Commission's)	
Rules and Streamlining Other Related)	
Rules)	
 2006 Biennial Review of)	ET Docket No. 06-155
Telecommunications Regulations - Part 2)	
Administered by the Office of Engineering)	
and Technology (OET))	

**REPLY COMMENT OF THE INFORMATION TECHNOLOGY INDUSTRY
COUNCIL**

The Information Technology Industry Council (ITI) hereby respectfully submits this reply comment for consideration under the Commission's Notice of Proposed Rulemaking (NPRM), FCC 10-197, released 30 November 2010. ITI represents the nation's leading information technology companies, including computer hardware and software, Internet services, and wireline and wireless networking companies. ITI is the voice of the high tech community, advocating policies that advance U.S. leadership in technology and innovation, open access to new and emerging markets, support e-commerce expansion, protect consumer choice and enhance global competition.

ITI appreciates the Commission's proposals in this NPRM that address previous industry requests¹ for changes in the rules governing importation of prototype products. ITI has reviewed the comments supporting the Commission's proposed changes to the prototype import rules filed by the Hewlett-Packard Company² and Qualcomm Incorporated³. ITI agrees with the proposed change to Section 2.1204(a)(3)(i) and believes this is important for the rapid development of smartphones and other advanced communication devices which are intended to be operated in part under one of the Commission's authorized radio services for which an operating license is required to be issued by the Commission. This change will also ease the administrative burden of the current rules that is experienced by the FCC and industry in addressing the quantities of prototype smartphones and other devices built outside of the U.S. which industry needs to import for continued development, testing and evaluation.

ITI also agrees with the FCC's intent to increase the number of prototype products that can be imported under Section 2.1204(a)(3)(ii) without specific authorization from the FCC. The FCC proposes to increase that limit from 200 units to 1200 units. While ITI supports the increase to 1200 prototype units, we recommend the FCC consider a limit of 2000 prototype units instead of 1200. ITI believes this would further reduce the administrative workload of the FCC and industry and allow greater flexibility in import scheduling of prototype products into the U.S. as is needed in a dynamic product development environment. Based on ITI member company experience

¹ Hewlett-Packard Company comment paper dated September 1, 2006 filed with the FCC in response to ET Docket 06-155 and the Information Technology Industry Council reply comment paper filed on September 15, 2006.

² Hewlett-Packard Company comment paper dated March 9, 2011 filed in response to ET Docket 10-236 and ET Docket 06-155, pages 2 and 3.

³ Qualcomm Incorporated comment paper dated March 10, 2011 filed in response to ET Docket 10-236 and ET Docket 06-155, page 10.

with prototype imports and authorization for the importation of quantities of prototype products in excess of 200 units, ITI believes an increase in the limit to 2000 prototype products without a specific FCC authorization will not result additional interference with licensed communications. Utilization of the current importation process provides the transparency necessary for the FCC to monitor those parties responsible for managing prototype products in the U.S.